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OFFICE OF PETITIONS

KRAMER & AMADO, P.C.
1725 Duke Street, Suite 240
Alexandria VA 22314

In re Patent No. 7,590,055	: DECISION ON REQUEST
Segel	: FOR
Issue Date: September 15, 2009	: RECONSIDERATION OF
Application No. 10/773,226	: PATENT TERM ADJUSTMENT
Filed: February 9, 2004	: and
Atty Docket No. ALC 3117	: NOTICE OF INTENT TO ISSUE
	: CERTIFICATE OF CORRECTION

This is a decision on the petition filed on May 20, 2010, which requests reconsideration of the "Decision on Request for Recalculation of Patent Term Adjustment in View of *Wyeth*" mailed April 21, 2010, and recalculation of the patent term adjustment.

The petition to correct the patent term adjustment indicated on the above-identified patent to indicate that the term of the above-identified patent is extended or adjusted by one thousand, two hundred and seventy-five (1,275) days is **GRANTED**.

It is noted that no fee was required to accompany the Request for Recalculation of Patent Term Adjustment in View of *Wyeth* filed March 15, 2010. It is also noted that the "Decision on Request for Recalculation of Patent Term Adjustment in View of *Wyeth*" mailed April 21, 2010, erroneously dismissed the Request for Recalculation of Patent Term Adjustment in View of *Wyeth*. Accordingly, no fee is being assessed for the instant request for reconsideration as the instant petition resulted in the first recalculation of the patent term adjustment in view of *Wyeth* and it appears that patentee met the qualifications of the matter to be considered by the Request for Recalculation of Patent Term Adjustment in View of *Wyeth*, filed March 15, 2010.

The Office will *sua sponte* issue a certificate of correction. Pursuant to 37 CFR 1.322, the Office will not issue a certificate of correction without first providing assignee or patentee an opportunity to be heard. Accordingly, patentee is given **one (1) month or thirty (30) days**, whichever is longer, from the mail date of this decision to respond. No extensions of time will be granted under § 1.136.

The application is being forwarded to the Certificates of Correction Branch for issuance of a certificate of correction. The Office will issue a certificate of correction indicating that the term of the above-identified patent is extended or adjusted by one thousand, two hundred and seventy-five (1,275) days.

Telephone inquiries specific to this matter should be directed to the undersigned, at (571) 272-3222.

/Kenya A. McLaughlin/

Kenya A. McLaughlin
Petitions Attorney
Office of Petitions

Enclosure: Copy of DRAFT Certificate of Correction

DRAFT COPY

UNITED STATES PATENT AND TRADEMARK OFFICE

CERTIFICATE OF CORRECTION

PATENT : 7,590,055 B2

DATED : Sep. 15, 2009

INVENTOR(S) : Segel

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

On the cover page,

[*] Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 USC 154(b) by (843) days

Delete the phrase "by 843 days" and insert – by 1,275 days--